

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA

CITY OF CHARLOTTESVILLE; CHAMPION  
BREWING CO., LLC; ESCAFÉ; MAS TAPAS;  
MAYA RESTAURANT; QUALITY PIE;  
RAPTURE RESTAURANT AND NIGHT  
CLUB; ALAKAZAM TOYS AND GIFTS;  
ALIGHT FUND LLC; ANGELO JEWELRY;  
HAYS + EWING DESIGN STUDIO, PC;  
WOLF ACKERMAN DESIGN, LLC;  
WILLIAMS PENTAGRAM CORPORATION;  
BELMONT-CARLTON NEIGHBORHOOD  
ASSOCIATION; LITTLE HIGH  
NEIGHBORHOOD ASSOCIATION; and  
WOOLEN MILLS NEIGHBORHOOD  
ASSOCIATION,

Plaintiffs,

v.

PENNSYLVANIA LIGHT FOOT MILITIA,  
NEW YORK LIGHT FOOT MILITIA,  
VIRGINIA MINUTEMEN MILITIA,  
AMERICAN FREEDOM KEEPERS, LLC,  
AMERICAN WARRIOR REVOLUTION,  
REDNECK REVOLT, SOCIALIST RIFLE  
ASSOCIATION, TRADITIONALIST  
WORKER PARTY, VANGUARD  
AMERICA, LEAGUE OF THE SOUTH, INC.,  
NATIONAL SOCIALIST MOVEMENT,  
JASON KESSLER, ELLIOTT KLINE,  
CHRISTIAN YINGLING, GEORGE  
CURBELO, FRANCIS MARION, ACE  
BAKER, MATTHEW HEIMBACH,  
CESAR HESS, SPENCER BORUM,  
MICHAEL TUBBS, and JEFF SCHOEP,

Defendants.

Case No. 3:17-CV-00078  
Judge Glen E. Conrad

**PLAINTIFFS' MOTION TO REMAND TO STATE COURT**  
**AND FOR ATTORNEYS' FEES**

Plaintiffs City of Charlottesville; Champion Brewing Co., LLC; Escaf ; Mas Tapas; Maya Restaurant; Quality Pie; Rapture Restaurant and Night Club; Alakazam Toys and Gifts; Alight Fund LLC; Angelo Jewelry; Hays + Ewing Design Studio, PC; Wolf Ackerman Design, LLC; Williams Pentagon Corporation; Belmont-Carlton Neighborhood Association; Little High Neighborhood Association; and Woolen Mills Neighborhood Association respectfully move this Court to remand this action to the Charlottesville Circuit Court and to award attorneys' fees pursuant 28 U.S.C.   1447(c). This motion is supported by the contemporaneously filed Memorandum of Law in Support of Plaintiffs' Motion to Remand and for Attorneys' Fees and the Declaration of Kyle McNew.

Respectfully submitted,

/s/

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<sup>1</sup> Counsel affiliated with Georgetown University Law Center were admitted *pro hac vice* to the Circuit Court for the City of Charlottesville prior to the removal of this matter to this Court. They are not admitted to practice before this Court.

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of November 2017, I electronically filed Plaintiffs' Motion to Remand using the CM/ECF system, which will send notice of such filing to all counsel of record, including the following:

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